

LIFE

Vol. 60, No. 20 May 20, 1966

SNOOPING ELECTRONIC

INVASION OF PRIVACY

The man on the opposite page, peering through an illuminated magnifying glass as he assembles a tiny bugging device, is a specialist in the multi-million-dollar industry of eavesdropping. Without the slightest awareness on the victim's part, this handiwork may wind up in the olive of a nearby martini, in the mouthpiece of his telephone, in a knob on his car's dashboard, in the handle of his briefcase, even in a cavity in the tooth of an intimate associate. It will pick up what he says, amplify it and transmit it word for word to tape recorders that sometimes are situated hundreds of miles away. Despite the protection against invasion of privacy afforded by the Fourth Amendment to the Constitution, bugging is so shockingly widespread and so increasingly insidious that no one can be certain any longer that his home is his castle—free of intrusion.

Senator Edward V. Long (Dem.-Mo.), whose Senate Judiciary Subcommittee has been holding intensive hearings on invasion of privacy by government agencies, has charged that "Federal agents are embarked on a nationwide campaign of wiretapping, snooping and harassment of American citizens." The government has been electronically spying on its citizens for years. The Internal Revenue Service, for example, has admitted bugging public and private phones and even rooms where IRS auditors called businessmen for questioning, on the theory they might reveal something when IRS men left the room.

Federal agencies and police operatives at least can argue that wiretapping and bugging are helpful aids in the enforcement of the law. But that justification does not exist for the growing legions of private citizens—businessmen, union officials, employers, suspicious spouses—who find it ridiculously easy to indulge in electronic spying. They can choose from a vast array of inexpensive, easy-to-install snooping devices which can be bought over the counter with no questions asked. On these pages LIFE reveals in detail this electronic assault on privacy, the murky legal problems that are involved and the phenomenon which long before Orwell's *1984* presages what Senator Long has called "a naked society, where every citizen is a denizen in a goldfish bowl."





BUGGED MARTINI. For \$400 anyone can buy a plastic olive (shown in cross section left) with built-in send-

ing device and a toothpick antenna. Popped in a martini, it can transmit cocktail party conversation 100 feet.

MASTER EAVESDROPPER. Bernard R. Spindel, regarded as the U.S.'s No. 1 electronic eavesdropper, uses a

dentist's drill to bore holes in a tiny amplifier. It can transmit a signal from a mike 10 miles over a telephone line.



THE MINIATURE TOOLS OF THE EAVESDROPPER'S TRADE

Electronic eavesdropping owes its boom to the invention of the transistor and the printed circuit which made miniaturization possible. As manufacturers keep frog-eat other in turning out ingenious new refinements, the components they sell have been getting smaller and more efficient. One item they offer, for example, a Dick Tracy-style wristwatch microphone (opposite page 2) is downright cumbersome compared with other mikes

that are as small as sugar cubes. So rapidly is the field developing that today's devices may soon be outmoded by systems utilizing microcircuits so tiny that a transmitter made of them would be thinner and smaller than a postage stamp and could be slipped, undetected, virtually anywhere. Some research labs are already experimenting with FM transmitters smaller than an aspirin tablet that can be put inside the bodies of

animals and generate their electrical power from the animal's own body heat. These are research tools meant for purposes other than spying, but there is little doubt that specialists in eavesdropping equipment will be quick to adapt the new techniques for their own uses. How to safeguard individual rights in a world suddenly turned into a peephole and listening post has become the toughest, trickiest legal problem facing the U.S. today.



SENATE INVESTIGATOR. Senator Long inspects an attaché case rigged with receiver, voice actuator and tape recorder. At right foreground is kit's transmitter that fits into cigarette pack.



BUGS THAT THE EYE MIGHT OVERLOOK

At left is a sampler of sniping devices. The picture frame contains hidden transmitter that will operate 200 hours on built-in battery. From left to right, first row below picture: a "checker," designed to be hidden on body with dimes taped to the skin to serve as electrodes, can receive coded shocks from, say, a bride partner; a pair of boxes that can turn a telephone into a microphone; cuff-link mike, world's smallest commercially available transmitter—postage-stamp size—that can pick up whisper at 20 feet; FM transmitter that can fit into cigarette case. Below it is device for tapping phones. Below "checker" at left are two other telephone-tapping devices. Top above watch-mike is mike; pin below watch is transmitter. Audio-electronic stereo mike field to work can listen in on the next room.



RIGGED ELECTRIC OUTLET. Concealed in the reverse side is a mike that picks up sound through the screw hole that links outlet to wall. Sound can be transmitted along power line.

BUGGED TELEPHONE. A specialist shows how to "bug" a phone. A mike and a transmitter placed inside the mouthpiece will tap the phone and bug the entire room at the same time.



TAPPED PHONE TERMINAL. When attached to baseboard it looks like an ordinary terminal block but has an amplifier built into back and mike concealed in hole drilled into the plastic.



JIMMIED PHONE JACK. An expert shows how to connect an FM transmitter into phone line running from jack to lineboard. It stays on full time and uses telephone company's power.

LAWS WITH AMBIGUITY . . . CREATOR OF

The technology of snooping has so outdistanced the law that controls are all but nonexistent. A new FCC regulation, adopted only last month, bars to all but law enforcement agencies the use of radio devices to transmit or record conversations without the consent of all parties. But this is purely a government regulation lacking the hard force of statutory law. There are no federal statutes on eavesdropping and only one that deals specifically with tapping telephones. This is Section 605 of the Communications Act of 1934 and Attorney General Katzenbach says that today "it would be difficult to devise a law more totally unsatisfactory."

Some laws add to the confusion. Eight states (Pennsylvania, Illinois, Wisconsin, Kentucky, California, New Jersey, Florida and Michigan) ban wiretapping altogether. Ohio legislation, permits only law officers to tap phones. Five states (New York, Oregon, Maryland, Nevada and Massachusetts) allow tapping under court order. In all the rest, the issue has been ignored or the laws are open to inconclusive interpretation.

In general, law enforcement agencies are restrained by the uncertainty that evidence obtained by electronic snooping will hold up in court. Evidence uncovered by wiretapping has been held to be

"tainted" and therefore inadmissible in a federal trial. Courts have further ruled electronic eavesdropping evidence is admissible only if it was not the result of a trespass on the property of the subject. In the 1963 Lopez case, the Supreme Court ruled that a tape recorder hidden on the person of an investigator did not itself constitute a trespass and that tapes obtained were admissible evidence.

Private citizens who go in for electronic eavesdropping do pretty much what they can get away with, which is plenty (see next page). When the chairman of the board of the Schenley Corporation found listening devices in his office last year—presumably installed by a competitor—there wasn't a great deal he could do except tip them off. Senator Long believes the best solution is a law requiring licensing of all bugging equipment. But the particulars of such legislation remain vague—especially since every transistor radio is crammed full of components that any expert can turn into a bug.

SNOOPERS' SUPPLIER. Murray Middleton, inventor of device that converts telephone into long-distance bug, works in his New York shop on overlap transmitter selling for \$250.



CITY OF WIRES. In Las Vegas, Nev., called "the most bugged city in the U.S.," a labyrinth of telephone lines converges on FBI headquarters (left above). Tiny listening devices were



found in telephone systems of Sands Hotel (right above) and other casinos, and the gamblers, claiming that agents listened to them over phone lines, have filed suit in a Nevada court.

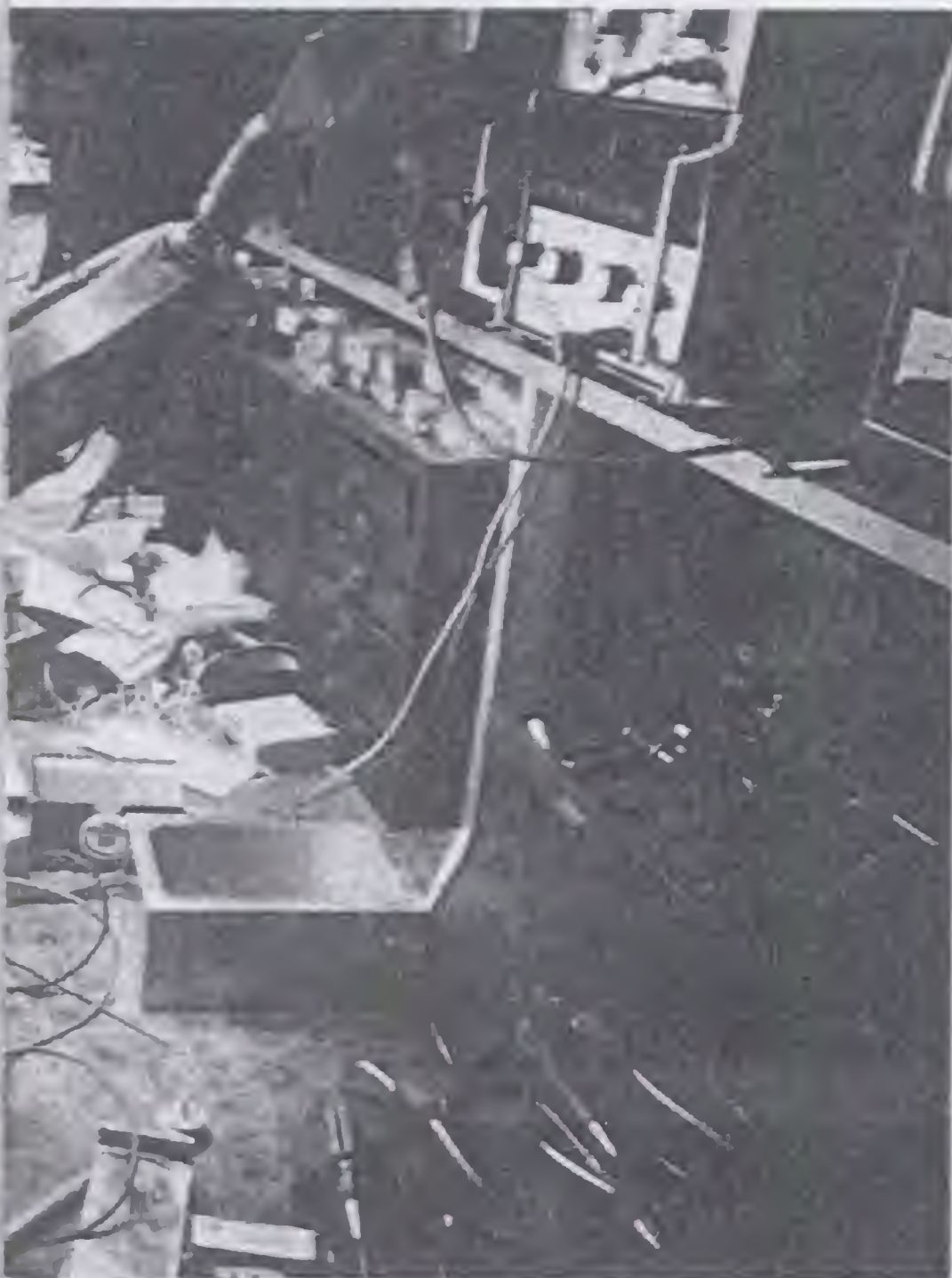
. . . BIG DEMAND FOR



ANTI-BUG SEMINAR. A gunlike detector, part of anti-bug kit put out by Sabot Laboratories, is tested by Sheriff Earl B. Whitmore of San Mateo County, Calif. He rented kit after

his office was called in on industrial espionage case. Sabot does a profitable business in California, which has one of the highest rates of plant and office eavesdropping in the country.

SOPHISTICATED BUGS



COUNTERBUGGING



... DIVORCE SPY



TWO-WAY SNOOP In Florida, where electronic eavesdropping is frequently employed in divorce suits, private eyes like Jack Harwood of Palm Beach, shown above with some of his gear, do a thriving business. Harwood, who boasts, "I'm a fantastic wire man," was hired by the late Russell Firestone to keep tabs on his estranged wife, Mary Alice. She in turn got one of Harwood's assistants to sell out and work for her and, says Harwood, "He plays nastier rough with the bugs as I do." A court recently ordered Russell and Mary Alice (right) to stop spying on each other.



OFFICE SWEEP Technicians from Lipul Service seek out hidden mikes in office of Jerome E. Harkin, San Francisco ship subcontractor who suspects espionage cost him contracts.

by JOHN NEARY

Each day Bernard Bates Spindel faces the heady challenge of being on another episode in the life of his favorite character: Bernie Spindel—expert pilot, consummate lock-picker, foreign adventurer, electronics wizard and the No. 1 high-league freelance eavesdropper and wiretapper in the U.S.

On this particular Saturday morning the limp 6-foot, 210-pound sack of a man climbed out of a gray clapboard house in upstate New York, filled up the trunk of a Lincoln sedan with tools and gear from an inventory of 3,000 electronic components, slumped himself in behind the wheel and set off for a new brick house of hard work in the city. It would bring \$350.

Both the underworld and law-enforcement admit Spindel is the best in the business. Jimmy Hoffa, who should know, calls Bernie an expert technician.

"I have no doubt," says a government prosecutor who has more than once locked horns with him, "that if Spindel wanted to tap my phone, he could—and for all I know, he has."

"I'm a private practitioner," Bernie says earnestly, "and I work for anybody who wants to find out if anybody's on, on, and I don't ask for a postage." He will not work for law-enforcement agencies—and he says he will not knowingly break the law—or Bernard Spindel's conception of the law. In the end, Bernie says, "It's not what you do, it's what you get caught doing." In short, Bernie sees himself as a sort of latter-day transvested Robin Hood of private invasion.

His impressive letterhead lists some eight separate security services. It mentions not a word about offensive tactics like tapping employee phones to check for leaks. Bernie handles that sort of thing too.

On this particular day Bernie had three stops to make in Manhattan. His first was in Spanish Harlem, where he just a short, fat-featured man in a black raincoat. They walked together around the corner. A few minutes later Bernie, heading now, got back in the car and headed for a suite in the downtown Italian district—a "Mafia hideout." After a 24-hour search for police-installed microphones or wiretaps (he found none) Bernie headed up town. He called the Lincoln in a garage stop on West 57th Street and double-checked: Does a detective friend climbed into the back seat of the Lincoln. Quickly he checked the floor pan of a security car where a conversation was to be tapped.

Out of the trunk Spindel took an aluminum box, two recorders and the black briefcase that goes with him on every job. In the briefcase is an in-

credible patch of paraphernalia, from a standard phone company tone generator to a lock pick.

The Lincoln was parked in a nearby garage, and Spindel and the detective went up to the apartment. The client, and the detective, was involved in a little tiff with a government agency. A friend of the client was going to have a chat right here with a man who might give crucial testimony at a forthcoming hearing. A tape of this conversation might be an advantageous thing to have. Bernie set himself to work for a moment.

There was snort, so the installation was relatively unsophisticated. "It isn't the device so much as it is the use of imagination on where to put it," says Bernie. "What I care is, when I get a call to go out and do something, I do it."

Driving up to Central Park West a short time later, he scanned the buildings along the West Side almost lovingly. "I've done a job in at least one building in just about every block along here. Sweet and business on the outside, but you find out what really goes on."

Bernie proudly tapped his first phone at age 12. It was a pay phone in a tenement hallway. Bernie could hear it all from earphones in the coal bin. "It began to give me a very peculiar feeling of power, to know what everyone in that building was saying and what they were doing. I've never lost the feeling. I have knowledge that no one else in the world has about certain individuals."

Bernie was in the Signal Corps during World War II, and after his discharge he quickly found himself handling wiretap jobs for New York City detective agencies.

His work, mostly matrimonial and business investigations, went well. Then, through a series of influential jobs, he was recommended to James Riddle Hoffa, a Detroit Teamster official who needed some work done. For actions stemming from this notable liaison, Bernie was brought to trial with Hoffa four years later on a charge of conspiring to wiretap. Both men ultimately were acquitted.

Spindel's refusal to go against Hoffa, in this case and thereafter, has produced a mixed yield. On the one hand, he feels he has been noticeably badgered by government agencies. On the other, business has flourished, for Bernie has won the respect of the low-key underworld, whose patronage pays well. "I could make ten calls right now," he says, "and I know for you, I'd have \$100,000 in cash by noon tomorrow. Interest? None."

As his career progressed, Bernie branched into benign work. He can spin endless bizarre yarns such as the one about throwing "a top agent of Truitt's secret police" out of a second-story window in Santo Domingo (after jamming the stile of the agent's attitudinal waltz his trousers).

Today, he says, "if a man like Hoffa, or a foreign government, or an underworld character calls me for a confidential mission, they know it will remain confidential. The ability to maintain a confidence is the one attribute they respect."

Jimmy Hoffa takes a somewhat less fulsome view of Bernie's ethical reputation. "A copper's a copper," says Hoffa of Bernie. "Any kind of cop or investigator, you've got to figure that anything they find out they're going to sell to somebody else. But you hire a guy like this to tell you, and you don't tell him nothing."

Whatever the esteem in which his clients hold him, Spindel claims to have a vault full of vital tape recordings within easy access of his benefactors, just in case his confidence should prove to be poorly placed. "Just say I'm well informed," he says.

Spindel has about 35 reasonably steady clients. In addition to his underworld customers, he does work for a discount merchandising firm for which he installed hidden cameras, a cosmetics firm fearful of losing trade secrets, and assorted unions who call him on a per-crisis basis. He also serves as consultant to several firms engaged in manufacturing security products like cameras and alarms.

What, exactly, does a "search" of your premises by Bernie Spindel consist of? That depends on who might be after you. If it's not another private eye or the local cops, Bernie can serve you out of his car trunk. If it's the FBI or the CIA, though—that's something else, calling for Bernie's big mobile lab and a dazzling checklist of electronic procedures. Similar methods were employed by Spindel in connection with the celebrated jury-tampering trial of Jimmy Hoffa and others in Chattanooga, Tenn.

Spindel was called in during the trial by the defense lawyers who, seeking grounds for an appeal, wanted a complete check on any government surveillance of defendants and their attorneys. Bernie set up shop in the Patten Hotel and began a complete security sweep of rooms occupied by the Teamster defendants. He quickly picked up what he was sure were FBI signals from a nearby transmitter and proceeded dutifully to make recordings. He later swore that caution had prevented him from making a complete trace for phone taps. The instruments used for such a check were the same as those employed in actually tapping a phone, and he didn't want to risk getting caught and giving anybody the wrong idea. In part, this wariness had been induced by messages intercepted from the FBI transmission. "I think we are wired in," went one FBI broadcast. "That's probably Bernard. Hiss, Boggs, Bernie. . . . Making lots of money working for Mr. Hoffa. Go home, Bernard."

Spindel's FBI recordings and Spin-



URGENT ASSIGNMENT. With teeth, Spindel sets off to place a bug—shown here step by step. The bug will record talks with a man who may testify against Spindel's client's client.

del's testimony were a part of a subsequent move for a mistrial by the defense, but they failed to convince the courts that the FBI was engaged in improper surveillance.

Still, Bernie had kept proudly intact his record of never missing a tape or a picture.

An inspection for a major commercial client follows similar meticulous patterns. A complete sweep of company offices, labs and conference rooms takes Bernie and an assistant two or three days and costs the client around \$2,500.

Spindel talks proudly of mikes he has pulled out of mobsters' waifs. He recently discovered "an FBI-installed" terminal block microphone in the office of a Mafia chieftain. How did he know it was FBI? "That's like saying, for an artist in the jewelry field, he can look at a piece of work and know who did it. It was too sophisticated for the police department, way over the heads of the D.A.'s office, certainly not the state police—I had to be made by somebody who knew what he was doing." In this case, who else?

At home, Bernard Spindel is an accomplished barbecue chef, a horse-lauder, builder of floating electric Christmas trees, husband, father of seven children and instructor of 4-H Club members in the subjects of photography, horsemanship and, of course, electronics. He designed his comfortable lair—with a few bugs planted here and there in the walls. He buys the family meat by the third-and-pound load. The seven children share four rooms, three dogs and two cats. His wife, Barbara, ferries the kids around on Saturdays to the movies and teaches 4-H Club girls how to sew.

Mrs. Spindel is also the chief ex-

ON AN ASSIGNMENT WITH THE ACE OF THE



CASING THE FLAT. Hunting for a conspicuous spot for bug, he peers into backseat of the study, decides instead to plant a dummy phone-terminal block with microphone on wall below.



DOWN TO BUSINESS. With the practiced ease of a surgical nurse, Bernie sorts and lays out the tools he needs and reaches for ratcheted screwdriver for quick installation of terminal block.

captive of B. R. Fax, which is the company that owns the whole Spindel snooping operation. The Lincoln, the lab, the house, the inventory of parts—none of it belongs to Bernie, who legally holds title to little more than the Walkman—radio with Jimmy Hoffa's picture engraved on the back (Jimmy gave it to him for Christmas).

What he needs to do a job he requisitions from B. R. Fax (Barbara's maiden name), paying for it out of the proceeds of the job. A \$2,000 inspection for a longtime union leader might yield Bernie only \$500 walking-around money—the rest going to B. R. Fax for rental of equipment. It seems an enviable arrangement—one that could be calculated to pique the curiosity of the Internal Revenue Service. Government whippersnappers acknowledge ruefully, however, that after three years of investigation, Spindel has come up virtually judgment-proof in this regard.

Bernie stays reasonably loose, varying his routine, taking different routes to New York, seldom catching the plane he made reservations for, checking over his house and car every so often with his search receivers, using pay phones (never the same one twice in a row) for important calls, always checking with his lawyers before a doubtful job. Such prudent living has largely kept him out of the soup.

He has been indicted or arrested 204 times—all but twice for offenses connected with snooping—and beaten every rap but one. A jury in Springfield, Mass. recently found him and a co-defendant guilty of eavesdropping. The fine, \$500, has been suspended pending review.

Meanwhile, Bernie is now looking justifiably ahead to better days. Already, he chortles, he's sloped out a way to tap the forthcoming video-phone, jumping the circuitry in such a way that he'll be able to see right into the subscriber's home.

The subscriber, as usual, won't be able to see Bernie.



BUGGING BUSINESS

CONTINUED

INSIDIOUS BUG IS PLANTED—AND IS ALL EARS



WIRING IT IN. Crouched in the study where the apartment's tenant would shortly be holding his conference,

Bernie rears a knee through wall for mike cable. Sweating from tension—the man whose conversation was to



be recorded was already on the way — Bernie tried the cable over the door but ran it along the baseboard to save

time. Just 15 minutes after he started, bug was working so well it caught a whisper—over traffic noise—at 20 feet.

